

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FIRST CIRCUIT

DOCKET NUMBER;

WILLIAM RESTUCCI
(Plaintiff)

NMG
v. Referred to MT JL Alexander

DOUBLE DAY BOOK CLUB & EVERY PERSONS
(Defendant's)

COMPLAINT

Parties;

Defendant's; Double day Book Club & Every persons in their individual capacity; 505 Ridge Avenue, Hanover, PA 17332

Plaintiff; William Restucci; Pro se & indigent, P.O. Box 43, Norfolk Massachusetts 02056

Jurisdiction;

Jurisdiction is conferred upon this Honorable Court pursuant to 28 U.S.C. §1332; 42 U.S.C. §1983; Equal protection and Due process of the Fourteenth Amendment of the United States Constitution

STATEMENT OF FACTS

Plaintiff William Restucci joined the Doubleday Book Club upon a contract obligation. On 8/25/2004 defendants fulfilled their obligation and the plaintiff received 7 books for plaintiff

to purchase 4 books within a 2 year limit(see exhibit A & B). The plaintiff was then required to mail the defendants a do not send card. To notify the defendants not to send books and that failure to not send the card would ignight an automatic shipment of those books (see exhibit C) which was not part of the agreemnt but the plaintiff reluctantly complied under a threat that any unwanted books would be sent to him. The plaintiff purchased 1 book for drawing. The do not send cards kept coming and the plaintiff mailed them back submitting to the defendants do not send. Suddenly, the defendants sent ~~the~~ plaintiff books without his knowlege or authority dispite plaintiff instructing them defendants by united States First Class mail **DO NOT SEND**. The plaintiff sent the first shipment back to the defendants at the cost of 6 dollars. Dispite plaintiff still sending defendants the do no send card (see exhibit C) the defendants sent more books. The plaintiff sent the defendants a letter stating that he did not order the books and to pay the plaintiff in advance 12 dollars to ship the defendants their books back with 100 dollars for the plaintiffs time or the plaintiff would throw the unwanted books in the trash. The defendants sent **more** books on consinment and defendants stated they would not comply with the plaintiffs fair letter. The plaintiff then disposed of the books (see exhibit D). The plaintiff submits that the defendant should have clearly known that their procedures with their do not send card was insufficient to protect the plaintiffs rights. The

defendants continued to engage in a patern of unwelcome harrassment and sent more books, doubled their bill to the plaintiff, and sent him with the bill applications for a life insurance policy which can be construed as a threat to the plaintiffs life (see exhibit E). The defendants have met the burden for the plaintiff to successfully file this civil rights action "threats" "intimidation", "harrassment". The plaintiff suffers damages to his credit, emotional distress, depravation and violations of plaintiffs Constitutional rights to due process and equal protection of the Fourteenth Amendment.

STATEMENT, DEMAND, AND REQUEST FOR RELIEF

1> The plaintiff demands an EMERGENCY INJUNCTION restraining the defendants from contact with the plaintiff in all matters other than this action, FURTHER that a stay be issued on payment and contract pending the outcome of this action.

2> **PUNITIVE DAMAGES** in the amount of Five hundred thousand dollars. AND OR MONETARY DAMAGES ~~AMOUNTING TO FIVE HUNDRED THOUSAND DOLLARS.~~ ~~AMOUNTING TO FIVE HUNDRED THOUSAND DOLLARS.~~

3> **Compensatory damages** in the amount of Five Hundred Thousand dollars for servere infliction of emotional distress.

4> Extra legal relief

Wherefore the plaintiff prays that this Honorable Court grant his his entitled relief so that justice could be better served,

6/23/05

William Restucci

William Restucci/ Pro se & indigent
P.O. Box 43, Norfolk Massachusetts 02056

DOUBLEDAY BOOK CLUB
505 RIDGE AVENUE, HANOVER, PA 17332



PRESORTED BOUND PRINTED MATTER
U. S. POSTAGE PAID
BOOK CLUB ASSOCIATES
1196 8000 ID #20096391

64424

01



FORWARDING
SERVICE
REQUESTED

CARRIER LEAVE
IF NO RESPONSE

WILLIAM RESTUCCI
PO BOX 43
NORFOLK MA 02056

ZIP

243 E 554

96 713 138442

DOUBLEDAY BOOK CLUB
WWW.DOUBLEDAYBOOKCLUB.COM

INVOICE DATE 08/25/04

Enclosed is your
redemption coupon order.
We're sure you'll enjoy
this book as much as those
previously sent to you.
As a member of the
DOUBLEDAY BOOK CLUB, you
can look forward to more
great books at terrific
savings! Once again,
welcome to the Club!

Black Creek Crossing

CUSTOMER COPY

PAY THIS AMOUNT .00

00000 0060 0304 0470

01 09 74014238 000000 96 713 138442 94

MAKE CHECK PAYABLE TO: DETACH AND RETURN BOTTOM FORM ONLY WITH YOUR PAYMENT.

A
EXHIBIT

DOUBLEDAY BOOK CLUB
505 R. E AVENUE, HANOVER, PA 17332

3 Exhibit



PRESORTED BOUND PRINTED MATTER
U. S. POSTAGE PAID
BOOK CLUB ASSOCIATES
1196 8000 ID # 20082419

65834

01



FORWARDING
SERVICE
REQUESTED

CARRIER LEAVE
IF NO RESPONSE

WILLIAM RESTUCCI
PO BOX 43
NORFOLK MA 02056

ZIP

243 | 374

96 713 138442

DOUBLEDAY BOOK CLUB
WWW.DOUBLEDAYBOOKCLUB.COM

INVOICE DATE 08/25/04

Enclosed is your
redemption coupon order.
We're sure you'll enjoy
this book as much as those
previously sent to you.
As a member of the
DOUBLEDAY BOOK CLUB, you
can look forward to more
great books at terrific
savings! Once again,
welcome to the Club!

The Taking

CUSTOMER COPY

PAY THIS AMOUNT .00

00000 0040 0288 0248

01 09 74014238 000000 96 713 138442

94

MAKE CHECK PAYABLE TO:

DETACH AND RETURN BOTTOM FORM ONLY WITH YOUR PAYMENT.

DOUBLEDAY BOOK CLUB

ACCOUNT NUMBER

96 713 138442

INVOICE DATE

08/25/04

AMOUNT DUE

\$.00

WE ACCEPT AS PAYMENT



WILLIAM RESTUCCI
PO BOX 43
NORFOLK

MA 02056

☐ Bill this order PLUS
all future orders.

☐ Bill this
order
ONLY.

Expiration Date
(Month / Year)

Signature Required

00000 0040 0288 0248

01 09 74014238 000000 96 713 138442

94

ENCLOSE WITH PAYMENT

C EXHIBIT

DOUBLEDAY BOOK CLUB

Thank you for your membership. We haven't heard from you in a while, so we just wanted to take a minute to say, "hello". As always, we've got an unbeatable selection of the latest bestsellers at great savings. If you have just placed an order, thank you. If not, take a look in this month's

WWW.DOUBLEDAYBOOKCLUB.COM

magazine--there's sure to be something you like--and ordering is as easy as ever. We look forward to hearing from you soon.

MEMBERSHIP INFORMATION

YOUR ACCOUNT NUMBER
96 713 138 442

ORDER CODE: 0579 797

Order other items
in the boxes below.

To order items below,
put an X in the box to
the left of the item.

☐ Marriage Scandalous
123281

☐ High Plains Tango
152306

☐ Miracle
570648

☐ Summer's Child/Rose
150250

☐ Nosy Neighbor
124156

☐ Black Rose
698514

The Featured Selections will be sent to you unless we receive other instructions before:

Velocity

Publisher's Ed. Price \$27.00 Save
Club Ed. Price \$16.99 37%

Marker

Publisher's Ed. Price \$25.95 Save
Club Ed. Price \$15.99 38%

Take all your price \$32.98

DOUBLEDAY BOOK CLUB

JUNE 28, 2005

PLEASE RUSH ☐ DON'T SEND ☒

PLEASE RUSH ☐ DON'T SEND ☒

#BYDBCGQ 2499 01
#9671313844200051#
WILLIAM RESTUCCI
PO BOX 43
NORFOLK MA 02056-0043

YOUR ACCOUNT NUMBER

96 713 138 442 35

01572625 2499 0026 1753

2905078592025403176420

15505140

To return this form, place a First Class Letter Stamp on the reverse side.

REPLY FORM - DETACH HERE

C EXHIBIT

**Massachusetts Department of Correction
PROPERTY CONTRABAND NOTIFICATION AND DISPOSAL FORM**INSTITUTION: MALDEN☐ REMOVAL OF PROPERTY REQUESTED BY INMATE

INMATE: _____

COMMITMENT #: _____

☐ FIRST NOTICE: _____

(Date)

The following items have been deemed contraband and are not allowed in this facility.

1.	21.	41.
2.	22.	42.
3.	23.	43.
4.	24.	44.
5.	25.	45.
6.	26.	46.
7.	27.	47.
8.	28.	48.
9.	29.	49.
10.	30.	50.
11.	31.	51.
12.	32.	52.
13.	33.	53.
14.	34.	54.
15.	35.	55.
16.	36.	56.
17.	37.	57.
18.	38.	58.
19.	39.	59.
20.	40.	60.

These articles must be disposed of in accordance with 103 CMR 403.14. Please select a method of disposal.

I choose to have my property...

☐ retrieved by a visitor.☒ mailed out to a specified destination.☐ disposed of as seen fit by the institution.

Name _____

Name _____

Address _____

Address _____

City _____

State _____

Zip _____

City _____

State _____

Zip _____

Telephone _____

Telephone _____

Inmate Authorization: William R. [Signature]Date: 1-17-2005**Property Pick-up Acknowledgement**Visitor ID: ☐ valid state ID/drivers license☐ military ID☐ passport☐ Dept. Transitional Assistance (Welfare ID)

I, _____ have received and accept responsibility for all of the items listed on this sheet.

Visitor: _____

Date: _____

Property Officer: _____

Date: _____

☐ FINAL NOTICE: _____

(Date)

In accordance with 103 CMR 403.14, you are being issued a final notice to have your contraband property items listed above disposed of by a method of your choice as indicated. If you do not respond to this notice in writing within thirty (30) days of the final notice date, the contraband items will be disposed of as seen fit by the institution.

☐ No response from inmate.

Date Disposed of: _____

Property Officer: _____

C EXHIBIT

**Massachusetts Department of Correction
PROPERTY CONTRABAND NOTIFICATION AND DISPOSAL FORM**INSTITUTION: WILMINGTON☐ REMOVAL OF PROPERTY REQUESTED BY INMATEINMATE: WILMINGTONCOMMITMENT # 11405☐ FIRST NOTICE: 11/1/05

(Date)

The following items have been deemed contraband and are not allowed in this facility.

1. <u>2. Beer</u>	21. <u>100</u>	41. <u>100</u>
2. <u>Beer</u>	22. <u>100</u>	42. <u>100</u>
3. <u>Beer</u>	23. <u>100</u>	43. <u>100</u>
4. <u>Beer</u>	24. <u>100</u>	44. <u>100</u>
5. <u>Beer</u>	25. <u>100</u>	45. <u>100</u>
6. <u>Beer</u>	26. <u>100</u>	46. <u>100</u>
7. <u>Beer</u>	27. <u>100</u>	47. <u>100</u>
8. <u>Beer</u>	28. <u>100</u>	48. <u>100</u>
9. <u>Beer</u>	29. <u>100</u>	49. <u>100</u>
10. <u>Beer</u>	30. <u>100</u>	50. <u>100</u>
11. <u>Beer</u>	31. <u>100</u>	51. <u>100</u>
12. <u>Beer</u>	32. <u>100</u>	52. <u>100</u>
13. <u>Beer</u>	33. <u>100</u>	53. <u>100</u>
14. <u>Beer</u>	34. <u>100</u>	54. <u>100</u>
15. <u>Beer</u>	35. <u>100</u>	55. <u>100</u>
16. <u>Beer</u>	36. <u>100</u>	56. <u>100</u>
17. <u>Beer</u>	37. <u>100</u>	57. <u>100</u>
18. <u>Beer</u>	38. <u>100</u>	58. <u>100</u>
19. <u>Beer</u>	39. <u>100</u>	59. <u>100</u>
20. <u>Beer</u>	40. <u>100</u>	60. <u>100</u>

These articles must be disposed of in accordance with 103 CMR 403.14. Please select a method of disposal.

I choose to have my property...

☐ retrieved by a visitor.

Name _____

Address _____

City _____ State _____ Zip _____

Telephone _____

☐ mailed out to a specified destination.

Name _____

Address _____

City _____ State _____ Zip _____

Telephone _____

☐ disposed of as seen fit by the institution.Cost to mail: 100.00 100 Club

LABEL ATTACHED

POSTAGE DUE UNIT, U.S. POSTAL SERVICE

HANOVER, MA 01732

Inmate Authorization: William R. RafterDate: 5-12-2005**Property Pick-up Acknowledgement**Visitor ID: ☐ valid state ID/drivers license☐ military ID☐ passport☐ Dept. Transitional Assistance (Welfare ID)

I, _____ have received and accept responsibility for all of the items listed on this sheet.

Visitor: _____ Date: _____

Property Officer: _____ Date: _____

☐ FINAL NOTICE: _____

(Date)

In accordance with 103 CMR 403.14, you are being issued a final notice to have your contraband property items listed above disposed of by a method of your choice as indicated. If you do not respond to this notice in writing within thirty (30) days of the final notice date, the contraband items will be disposed of as seen fit by the institution.

☐ No response from inmate.

Date Disposed of: _____ Property Officer: _____

D EXHIBIT

**Massachusetts Department of Correction
PROPERTY CONTRABAND NOTIFICATION AND DISPOSAL FORM**INSTITUTION: MCCL☐ REMOVAL OF PROPERTY REQUESTED BY INMATEINMATE: 2000-10-10 COMMITMENT # 12-5111 ☒ FIRST NOTICE: 5/10/05
(Date)

The following items have been deemed contraband and are not allowed in this facility.

1. <u>2 RUCKSACKS</u>	21. _____	41. _____
2. _____	22. _____	42. _____
3. <u>COAT</u>	23. _____	43. _____
4. <u>1 SHIRT</u>	24. _____	44. _____
5. _____	25. _____	45. _____
6. _____	26. _____	46. _____
7. _____	27. _____	47. _____
8. _____	28. _____	48. _____
9. _____	29. _____	49. _____
10. _____	30. _____	50. _____
11. _____	31. _____	51. _____
12. _____	32. _____	52. _____
13. _____	33. _____	53. _____
14. _____	34. _____	54. _____
15. _____	35. _____	55. _____
16. _____	36. _____	56. _____
17. _____	37. _____	57. _____
18. _____	38. _____	58. _____
19. _____	39. _____	59. _____
20. _____	40. _____	60. _____

These articles must be disposed of in accordance with 103 CMR 403.14. Please select a method of disposal.

I choose to have my property...

Cost to mail: 5.00☐ retrieved by a visitor.☐ mailed out to a specified destination.☒ disposed of as seen fit by the institution.

Name _____

Name _____

Address _____

Address _____

City _____ State _____ Zip _____

City _____ State _____ Zip _____

Telephone _____

Telephone _____

Inmate Authorization: X W. J. P. R. T. R. Date: _____**Property Pick-up Acknowledgement**Visitor ID: ☐ valid state ID/drivers license☐ military ID☐ passport☐ Dept. Transitional Assistance (Welfare ID)

I, _____ have received and accept responsibility for all of the items listed on this sheet.

Visitor: _____ Date: _____

Property Officer: _____ Date: _____

☐ FINAL NOTICE: _____
(Date)

In accordance with 103 CMR 403.14, you are being issued a final notice to have your contraband property items retrieved, stored, disposed of by method of your choice as indicated. If you do not respond to this notice in writing within thirty (30) days of the final notice date, the contraband items will be disposed of as seen fit by the institution.

☐ No response from inmate.

Date Disposed of: _____ Property Officer: _____

**D EXHIBIT**

January 25, 2005

Account 96713138442



WILLIAM RESTUCCI
PO BOX 43
NORFOLK, MA 02056-0043

Dear William Restucci:

Thank you for informing us that you received an unwanted shipment.

The books were sent to you when we did not receive your Member Reply Form by the due date declining the shipment. Please be sure to return your reply forms promptly any time you do not wish to receive Featured Selections. This will save you the bother of returning unwanted books to us.

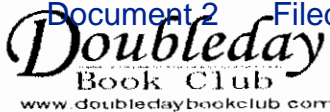
You may use the enclosed postage-paid label to return the package through your local Post Office. Please send books, video and music separately from merchandise products. Be sure to include your name, address and account number.

Your account will be credited accordingly upon receipt. If you receive a statement for the returned shipment, please don't be concerned. It just means that the return was likely processed after your statement was printed. A subsequent statement will show the correct balance.

If we can be of further assistance, please let us know.

Member Service Center
Doubleday Book Club (www.doubledaybookclub.com)

M24U601018 | RSL1 96713138442 002072
Encl. RPL



D EXHIBIT

April 27, 2005

Account 96713138442



WILLIAM RESTUCCI
PO BOX 43
NORFOLK, MA 02056-0043

Dear William Restucci:

We have received your request to cancel your membership, but are unable to honor your request at this time.

Your original agreement was to purchase four books within two years. Our records indicate that you need to purchase three more books to complete your membership agreement. To help you complete your agreement, we'd like to offer you FREE SHIPPING AND HANDLING on your next order. To take advantage of this special offer, please complete and return the coupon below.

Once you have completed your agreement you may again request cancellation if you wish.

Thank you for your participation in Doubleday Book Club.

Member Service Center
Doubleday Book Club (www.doubledaybookclub.com)

WILLIAM RESTUCCI

96713138442

Please send this order, with FREE SHIPPING AND HANDLING:

Selection Number	Selection Title
_____	_____
_____	_____
_____	_____

Supp Key 8536

M26X702044 | CANC3 96713138442 001067
Encl. CRE

E EXHIBIT

DETACH & KEEP FOR YOUR RE

STATEMENT AS OF 05/10/05**DOUBLEDAY BOOK CLUB**

Credits for payments or returns made shortly before or after the statement date will be reflected on your next statement.

If you recently sent in payment, thank you. If you have not, please send it today.

AS A REMINDER, PAYMENT WAS DUE ON RECEIPT OF ORDER.

Contact us at (717) 918-1064

03/24/05	Impossible/Convict	38.96
05/02/05	Late Fee Charge	4.00
05/05/05	No Place/Innocent	39.96

PAY THIS AMOUNT \$82.92

00000 0000 0017 0561 082925 96 713 138442

PAY THIS AMOUNT \$82.92**RETURN WITH YOUR PAYMENT**

Make Check Payable to:

DOUBLEDAY BOOK CLUB

Be Sure To Include Your

Account Number on Check

TO PAY BY CREDIT CARD**SEE BACK OF FORM****WILLIAM RESTUCCI**

PO BOX 43

NORFOLK

MA 02056-0043

00 05 15015130 082925 96 713 138442

95

E EXHIBIT

▲ IMPORTANT DOCUMENT — SEE INSIDE ▲

Life Insurance

\$100 Buys \$30,000

Rates As Low As \$2.43 Per Month

ADDRESSEE:

EXHIBIT

100 Buys 30,000

S 44
Rev. 12/96)**CIVIL COVER SHEET****ATTACHMENT #2**

ne JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

(a) PLAINTIFFS

WILLIAM RESTUCCI ^{PRO SE} &
INDIGENT

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Massachusetts
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

DOUBLEDAY BOOK CLUB & EVERY PERSON

505 Ridge Ave, Hanover, PA, 17332

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Pennsylvania
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

William Restucci / pro se &
indigent, P.O. Box 43,
Norfolk Mass, 02056

05 11357 NMG

II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT

(PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 166 Other Contract <input type="checkbox"/> 165 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 680 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 620 Copyrights <input type="checkbox"/> 630 Patent <input type="checkbox"/> 640 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 460 Commercial/CC Rates/etc. <input type="checkbox"/> 480 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 510 Selective Service <input type="checkbox"/> 560 Securities/Commodities/Exchange <input type="checkbox"/> 675 Customer Challenge 12 USC 3410 <input type="checkbox"/> 681 Agricultural Acts <input type="checkbox"/> 682 Economic Stabilization Act <input type="checkbox"/> 683 Environmental Matters <input type="checkbox"/> 684 Energy Allocation Act <input type="checkbox"/> 685 Freedom of Information Act <input type="checkbox"/> 690 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 695 Constitutionality of State Statutes <input type="checkbox"/> 699 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 250 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 644 Welfare <input type="checkbox"/> 645 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 616 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 630 General <input type="checkbox"/> 685 Death Penalty <input type="checkbox"/> 686 Mandamus & Other <input type="checkbox"/> 688 Civil Rights <input type="checkbox"/> 685 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 750 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 661 HIA (1305ff) <input type="checkbox"/> 662 Black Lung (623) <input type="checkbox"/> 663 DIWC/DRAW (405(g)) <input type="checkbox"/> 664 SSD Title XVI <input type="checkbox"/> 665 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 670 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 671 IRS - Third Party 26 USC 7608

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND... BRIEF STATEMENT OF CAUSE
DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

See complaint

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
☐ UNDER F.R.C.P. 23

DEMAND \$

see complaint

CHECK YES only if demanded in complaint

JURY DEMAND:

☒ YES

☐ NO
VIII. RELATED CASE(S) (See instructions):

IF ANY

JUDGE

DOCKET NUMBER

DATE

6/23/2005

SIGNATURE OF ATTORNEY OF RECORD

William Restucci

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING FFP _____ JUDGE _____ MAG. JUDGE _____

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ATTACHMENT #3

1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY) William Restucci v. Doubleday Book Club
2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMBERED NATURE OF SUIT CODE LISTED ON THE CIVIL COVER SHEET. (SEE LOCAL RULE 40.1(A)(1)).
- L 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.
- X II 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950. *Also complete AO 120 or AO 121 for patent, trademark or copyright cases
- III 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.
- V. 150, 152, 153.
3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(E)).
4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT? YES ☐ NO ☒
5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING THE PUBLIC INTEREST? (SEE 28 USC 2403) YES ☒ NO ☐
IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY? YES ☐ NO ☒
6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO TITLE 28 USC 2284? YES ☒ NO ☐
7. DO ALL PARTIES IN THIS ACTION RESIDE IN THE CENTRAL SECTION OF THE DISTRICT OF MASSACHUSETTS (WORCESTER COUNTY) - (SEE LOCAL RULE 40.1(C)). YES ☐ NO ☒
OR IN THE WESTERN SECTION (BERKSHIRE, FRANKLIN, HAMPDEN OR HAMPSHIRE COUNTIES)? - (SEE LOCAL RULE 40.1(D)). YES ☐ NO ☒
8. DO ALL OF THE PARTIES RESIDING IN MASSACHUSETTS RESIDE IN THE CENTRAL AND/OR WESTERN SECTIONS OF THE DISTRICT? YES ☐ NO ☒
(a) IF YES, IN WHICH SECTION DOES THE PLAINTIFF RESIDE? NORFOLK MASSACHUSETTS
9. IN WHICH SECTION DO THE ONLY PARTIES RESIDING IN MASSACHUSETTS RESIDE? NORFOLK COUNTY
10. IF ANY OF THE PARTIES ARE THE UNITED STATES, COMMONWEALTH OF MASSACHUSETTS, OR ANY GOVERNMENTAL AGENCY OF THE U.S.A. OR THE COMMONWEALTH, DO ALL OTHER PARTIES RESIDE IN THE CENTRAL SECTION; YES ☐ NO ☒ OR WESTERN SECTION; YES ☐ NO ☒

(PLEASE TYPE OR PRINT)

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(Cateform rev - 3/97)